



Iowa Department of Human Services

Terry E. Branstad
Governor

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Charles M. Palmer
Director

December 27, 2013

Date Complaint Received: 10/4/13
Complaint Received By: Chad Reckling, SW II
Provider Name and Location: Maria Payne 1400 Grand Avenue Muscatine IA 52761
Complaint: It is alleged that Maria runs a registered daycare home which gives a male subject access to children. This male subject may have sexually abused 2 female children in the past which involved touching and intercourse. This male subject is not on the sex offender registry and does not have any criminal charges involving sexual abuse.
Rule basis: <ul style="list-style-type: none">• IAC 110.5(1) Conditions in the home are safe, sanitary, and free of hazards.• IAC 110.5(9) The provider meets the following requirements:<ul style="list-style-type: none">• A. Gives careful supervision at all times.
Findings: 10/8/13 This worker met with Miya at her registered daycare home to confront her about these allegations. There were 2 daycare children present along with Miya's girlfriend and her child. Miya was in the kitchen restoring/painting a chair on the kitchen table while the girlfriend was in the adjoining room with the children. There were also shelves that were painted and laying in the living room in the children's play area. Miya denied these allegations and stated that the male subject was not present in the daycare home. This worker checked the upstairs bedrooms and the main floor and did not see the male subject present. Miya was visibly upset at the allegations and wished that her family would stop this. This worker did not conduct a compliance visit to the home during today's visit since one had just been completed on 10/2/13. <p>This worker asked Miya what might be behind these allegations that the department was receiving. Miya stated that these allegations came about in 2003 or 2004 and that a child abuse assessment was completed at the time. Miya reports that this assessment was unfounded with regards to the male subject and no criminal charges were filed. Miya stated that this was her sisters making these allegations. Her sisters were 11 and 13 years old at the time and would visit with the male subject and herself at her new house in Muscatine that she moved to. Her sisters would visit her on the weekends. When the allegations surfaced she left the male subject for a time but then when her sisters were interviewed by Dr. Opdebeeck at the St. Luke's Child Protection Center it was determined through physical and forensic interview that nothing occurred. She then went back to the male subject and they reportedly fought these allegations in court and Paul Miller represented them in Des Moines. Miya indicated that it was then that she stopped talking with her family and her mother. Miya reported that her mother will report things like this when no one responds to her demands to talk. Miya reports that her mother wants to reconnect with her and have a relationship with her. This worker recommended that Miya set up a meeting with her mother with a third party, more specifically a counselor present so that she and her mother can talk with one another and tell each other what they want. This worker informed Miya that she cannot be engaged in household projects such as painting her chairs while daycare children are present as this would take away from her careful supervision of the children. This worker also informed Miya that if her girlfriend would remain present when daycare children are in the home that she would need to submit to record checks as she could have access to the daycare children alone.</p> <p>10/10/13 This worker conducted a search of the Iowa Sex Offender Registry online which revealed no results when submitting the male subject's name to the search engine. This worker did not find any past concerns related to child sexual abuse in searches conducted by the department on this date.</p> <p>10/10/13 This worker contacted Linn County DHS to determine if there was any record of child abuse</p>

assessment completed in 2003 or 2004 involving the male subject. There was no such record found. This worker did not obtain any evidence that would confirm the allegations brought forth to the department. This complaint is **unsubstantiated**.

Resolution: Maria will have all items of non-compliance noted in 10/2/13 compliance visit to the home resolved by **11/21/13**. This worker will complete a follow up visit to the home to insure all items have been addressed. Maria will continue to abide by safety plan signed with the department on 1/27/12 that states that the male subject would not be at Maria's child development home during childcare hours and that he would not reside in her home or spend overnights there.

If you have any questions regarding this matter feel free to contact me at 1-888-381-6831 or crekli@dhs.state.ia.us.

Sincerely,

Chad Reckling, Social Worker II
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Burlington IA 52601